

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gina FISCHER et al.

Title: MORPHINE CONTROLLED  
RELEASE SYSTEM

Appl. No.: 10/550,453

International 3/26/2004

Filing Date:

371(c) Date: 9/26/2005

Examiner: Sasan Aradhana

Art Unit: 1615

Confirmation 3166

Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of any of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

Documents A4 and A5 are English-language counterparts of foreign-language documents DE 2415490 and DE 2332484, respectively, which were submitted in an Information Disclosure Statement filed July 16, 2009.

The other listed documents are Office Actions issued in, and references of record in, co-pending applications already of record.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**FEE**

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: February 9, 2010

By /Courtenay C. Brinckerhoff/

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4094  
Facsimile: (202) 672-5399

Courtenay C. Brinckerhoff  
Attorney for Applicant  
Registration No. 37,288